John A. Dalimonte (Admitted Pro Hac Vice, MA Bar No. 554554) **DALIMONTE RUEB, LLP** 85 Devonshire Street, Suite 1000 Boston, MA 02109 Telephone: (833) 443-7529 Facsimile: (855) 205-2053 john@drlawllp.com 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 IN RE BARD IVC FILTERS PRODUCTS 9 No. 2:15-MD-02641-PHX-DGC LIABILITY LITIGATION 10 **SECOND AMENDED MASTER** SHORT FORM COMPLAINT FOR This Document Applies to: 11 DAMAGES FOR INDIVIDUAL WILLIAM CONRAD CLAIMS AND DEMAND FOR JURY 12 **TRIAL** 13 Plaintiff(s) named below, for their Complaint against Defendants named below, 14 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). 15 Plaintiff(s) further show the Court as follows: 16 1. Plaintiff/Deceased Party: 17 William Conrad 18 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of 19 consortium claim: 20 None 21 Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator): 3. 22 None 23 Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the 4. 24 time of implant: 25 OR 26 27

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	l e					
1	5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the					
2		time of injury:				
3		OR				
4	6.	Plaintiff's current state(s) [if more than one Plaintiff] of residence:				
5		OR				
6	7.	District Court and Division in which venue would be proper absent direct filing:				
7		United States District Court for Oregon				
8	8.	Defendants (Check Defendants against whom Complaint is made):				
9		⊠ C.R. Bard Inc.				
10						
11	9.	Basis of Jurisdiction:				
12		□ Diversity of Citizenship				
13		Other:				
14		a. Other allegations of jurisdiction and venue not expressed in Master				
15		Complaint:				
16						
17						
18						
19	10.	Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a				
20		claim (Check applicable Inferior Vena Cava Filter(s)):				
21		☐ Recovery Vena Cava Filter				
22		⊠ G2 [®] Vena Cava Filter				
23		\square G2 Express				
24		☐ G2 X Vena Cava Filter				
25		□ Eclipse Vena Cava Filter				
26		☐ Meridian Vena Cava Filter				
27		□ Denali® Vena Cava Filter				
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1			Other:			
2	11.	Date of Implantation as to each product:				
3		7/1/20	006			
4						
5	12.	Counts in the Master Complaint brought by Plaintiff(s):				
6		\boxtimes	Count I:	Strict Products Liability – Manufacturing Defect		
7		\boxtimes	Count II:	Strict Products Liability - Information Defect (Failure to		
8				Warn)		
9		\boxtimes	Count III:	Strict Products Liability – Design Defect		
10		\boxtimes	Count IV:	Negligence - Design		
11		\boxtimes	Count V:	Negligence - Manufacture		
12		\boxtimes	Count VI:	Negligence – Failure to Recall/Retrofit		
13		\boxtimes	Count VII:	Negligence – Failure to Warn		
14		\boxtimes	Count VIII:	Negligent Misrepresentation		
15		\boxtimes	Count IX:	Negligence Per Se		
16		\boxtimes	Count X:	Breach of Express Warranty		
17		\boxtimes	Count XI:	Breach of Implied Warranty		
18		\boxtimes	Count XII:	Fraudulent Misrepresentation		
19		\boxtimes	Count XIII:	Fraudulent Concealment		
20		\boxtimes	Count XIV:	Violations of Applicable OR Law Prohibiting Consumer		
21			Fraud and Un	fair and Deceptive Trade Practices		
22			Count XV:	Loss of Consortium		
23			Count XVI:	Wrongful Death		
24			Count XVII:	Survival		
25		\boxtimes	Punitive Dam	ages		
26		\boxtimes	Other(s):	All claims for Relief set forth in the Master Complaint for		
27				an amount to be determined by the trier of fact. (please		
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1	state the facts supporting this Count in the space						
2	immediately below)						
3							
4							
5							
6	13. Jury Trial demanded for all issues so triable?						
7	⊠ Yes						
8	\square No						
9	RESPECTFULLY SUBMITTED this 27th day of February, 2019.						
10							
11	By:/s/ John A. Dalimonte						
12	John A. Dalimonte (Admitted Pro Hac Vice, MA Bar No. 554554)						
13	DALIMONTE RUEB, LLP 85 Devonshire Street, Suite 1000						
14	Boston, MA 02109 Telephone: (833) 443-7529						
15	Facsimile: (855) 203-2035 john@drlawllp.com						
16	J = === ⊕ #==# · =						
17	I hereby certify that on this 27th day of February, 2019 I electronically transmitted						
18	the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.						
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20	/s/ John A. Dalimonte						
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